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SUBJECT: COLOMBIA RESPONSE TO 2008 IAGGA REPORT

REF: SECSTATE 18836

SUMMARY

¶1. The GOC continues to make progress on fighting corruption and increasing accountability and transparency. In the past two years, the GOC took significant steps to reform its criminal justice system, increase transparency in public expenditure, modernize public procurement, and ensure accountability in government programs. When USG funding of an effective public enterprise internal audit system ended, the GOC assumed financial responsibility of the program. The USG supported criminal justice reform, anti-corruption training for law enforcement personnel, and the development of citizens, groups. END SUMMARY

GOC Anti-Corruption Efforts

¶2. The GOC continues to make progress in its anti-corruption efforts. On January 1, 2008, the GOC completed its multi-year transition from a criminal justice system based on a cumbersome, written accusatory system to an oral accusatory system. The new system ensures greater transparency through public court proceedings and trials, as well as greater accountability of justice sector officials. The new system is also more efficient, producing a 75 percent reduction in the time needed to resolve criminal cases and a 60 percent conviction rate, up from three percent under the old system.

¶3. In 2007, the GOC launched a "Visible Audits Program" aimed at involving beneficiaries and local governments in the review of public investments in health, potable water, education and housing. More than 150 public meetings were held throughout the country last year, and a similar number is planned for 2008. This initiative has already proven successful in improving transparency and efficiency of GOC investments and in identifying specific cases of corruption. For example, local government and civil society engagement prompted the completion of a housing project in Cordoba department, where homes were finally delivered to vulnerable groups after a construction delay of three years.

¶4. The GOC modernized the public procurement process--eliminating exemptions to open and full competition--and incorporated public audiences in the award process. Today, the Unified Contracting Portal (Portal Unico de Contracion) website contains detailed information on all scheduled government bids.

¶5. The GOC assumed control of an internal control program for public entities after USG funding ended in 2006. The program has been implemented in 80 national entities and 22 sub-national entities. The GOC issued presidential

directives to ensure the effective implementation of the internal control's standards and to provide technical assistance to all public entities.

¶16. The GOC annually publishes the approved national budget and amendments made during the fiscal year online. The published data include regular detailed updates of revenues and expenditures.

¶17. The GOC continues to proceed with other measures to promote transparency, including its announcement to join the Extractive Industries Transparency Initiative (EITI) in March 2007 and partially privatizing the state-owned hydrocarbons company, Ecopetrol. In addition to these national measures, the central government has supported efforts to increase accountability at the departmental and municipal levels where a significant portion of revenues are transferred under constitutional mandate.

USG Anti-Corruption Assistance

¶18. The USG is a strong supporter of Colombia's anti-corruption and transparency efforts. The primary USG agencies implementing programs remain USAID and DOJ.

¶19. The USG provided training, technical assistance, equipment and operating funds to the Colombian justice sector to facilitate the implementation of the new oral accusatory system. Over the past three years, the USG trained over 6,000 prosecutors, 20,000 investigators, 2,000 judges, 1,000 forensic experts, and 1,300 public defenders. Additionally, the USG constructed or refurbished four public defender offices, helped establish a public defender training school, and installed six virtual courtrooms in isolated rural areas.

¶10. In FY2007, the USG conducted 24 anti-corruption seminars for 621 Colombian law enforcement personnel throughout the country. Each seminar included participants from the Colombian National Police, Department of Administrative Security, and the Prosecutor General's Office. Eleven seminars addressed transparency and anti-corruption topics, including how to develop and implement anti-corruption strategies. Seven seminars taught leadership skills and initiatives to institute internal supervisory controls to reduce corrupt practices and behavior by subordinates. Six seminars focused on conflict negotiation and resolution, and were designed to arm supervisors with the skills to communicate effectively with subordinates and the public.

¶11. The USG provided micro-grants to 500 citizen oversight groups. Approximately 70 percent of the groups continued performing citizen oversight initiatives with either their own resources or private sector funding after USG assistance was suspended in 2006.

USG Diplomatic Efforts

¶12. Where appropriate, the USG continues to promote anti-corruption and transparency in its diplomatic interactions, including encouraging the GOC to join EITI.
Brownfield